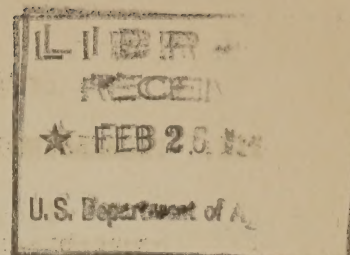


UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
North Central Division
Washington, D.C.INSTRUCTIONS TO BIDDERS AND GENERAL CONDITIONS
CONCERNING CONSERVATION MATERIALS PROGRAM

I. NATURE OF PROGRAM AND GENERAL PLAN

The Secretary of Agriculture, through county and State Agricultural Conservation Committees, desires to establish sources of supply of liming material so that farmers cooperating in the agricultural conservation program can obtain the material for use on their farms in carrying out approved soil-building practices. Material so obtained is made available to farmers in lieu of their agricultural conservation program payments. Under the supervision of the State Committee, county committees will solicit bids for liming materials and make their recommendations for acceptance to the State Committee. The State Committee will make awards and authorize the county committee to take orders for material from farmers, approve and place such orders with successful bidders for delivery of the material. Payment for delivered material will be made directly to the contractor by the United States Government. Complete details concerning acceptance of orders, deliveries, and submission of invoices will be furnished successful bidders at the time of notification of award.

II. TYPE OF AGREEMENT ENTERED INTO WITH CONTRACTOR.

It is not possible to adequately determine the amount of liming material that farmers will order in a particular locality, which makes it inadvisable for the Government to enter into a contract. Therefore, the agreement to be entered into represents a continuing offer by the contractor to furnish material at the price indicated in his bid in accordance with the terms of his offer. However, the agreement becomes a binding contract when orders are placed with the contractor, making him liable for failure to deliver the amount ordered.

A. Right of Either Party to Terminate Agreement.

1. The contractor may terminate his offer at any time upon written notice to the Government.

a. After giving such written notice to the Government, he is not required to accept any additional orders.

2. The Government may at any time terminate the award made to the contractor. For example, the Government will terminate the award for the following reasons:

- a. Material is delivered not meeting bid specifications.
- b. Deliveries are not made as offered in bid.
- c. Bidder requests assignment of his agreement.
- d. Contractor fails to meet a lower price offered by a responsible contractor, provided such lower price is quoted by a contractor who was not originally

offered an invitation to bid.

III. INCREASING AMOUNT OF AGREEMENT.

The amount offered in the agreement may be increased by mutual consent of the contractor and the contracting officer.

IV. APPLICATION OF WALSH-HEALEY ACT.

The provisions of the Walsh-Healey Act (copy attached) will apply to any agreement which may exceed \$10,000. If the contractor offers an amount of material which may exceed \$10,000, he must agree, in his offer, to comply with the Act. If he does not agree, any award made will be limited to \$10,000.

V. APPLICATION OF EIGHT-HOUR LAW.--See Reverse side of bid invitation form.

The Eight-Hour Law applies only to spread bids and only to the time the employee of the contractor is actually spreading the liming material on the fields.

VI. PERSONS EXCLUDED FROM BIDDING.

The following persons may not have any interest in a Government contract for liming materials: Agricultural conservation community committeemen, county committeemen, and agricultural conservation county office employees, State agricultural conservation committeemen, and agricultural conservation State office employees, any other Federal employees, and any member of or delegate to Congress or Resident Commissioner.

VII. INTERPRETATION OF CONDITIONS SPECIFIED ON REVERSE SIDE OF U.S. STANDARD FORM 33.

Items 3 and 4 shall be construed to apply only to orders for delivery placed with a contractor.

VIII. TELEGRAPHIC BIDS.

Telegraphic bids will not be considered. Modification of bids by telegraph will be considered if received prior to the opening of bids.

IX. SPECIFICATIONS OF MATERIAL.

Examples of two different kinds of material that would meet the minimum specifications as indicated in the bid invitation are as follows:

<u>Calcium Carbonate Equivalent</u>	<u>Percent of Material Passing Through an 8-Mesh Sieve</u>	<u>Percent</u>
80% multiplied by	90%	.7200
90% multiplied by	80%	.7200

However, in no instance may material be considered if the percent of calcium carbonate equivalent or the percent of the material that will pass through an 8-mesh sieve is less than 80 percent.

X. RIGHT OF BIDDER TO SPECIFY A GROUP OF TOWNSHIPS OR THE ENTIRE COUNTY.

The bidder may qualify his bid to specify receiving an award for a certain group of townships or the entire county. In this event, the Government will consider such bid on the basis of the lowest aggregate cost to the Government for the entire area so specified.

XI. MATERIAL OFFERED.

Bidders should offer prices on bulk liming materials only.

XII. QUARRY BID NOT RESTRICTED.

It is understood that any quarry bid accepted is available for shipment to any designated point.

XIII. CORRECTIONS ON BIDS.

Any changes made on the bid by the bidder prior to the time submitted to the county office should be initialed by him. Modification of a bid by letter or telegraph may be considered if received in the county office prior to the time specified to open bids.

XIV. BIDS NOT ACCEPTABLE.

Telephone bids or oral offers cannot be considered. A bid must be submitted on U. S. Standard Form 33 (Revised). Bids received after the time specified for opening will not be given consideration.

XV. PREPARATION OF U. S. STANDARD FORM 33(REVISED).

1. Enter total amount offered for all types of delivery, through December 31, 1941.
2. Enter the amount of material offered for each month.
3. Enter the total amount offered for each type of delivery.
4. Enter the amount offered each month for each type of delivery.

Note. It is assumed that normally a bidder will not be concerned with the amount of material to be delivered by types of delivery, except due to limitations of delivery or spreading equipment. In order, however, for the county and State to have an indication of the amount that can be supplied by the different types of delivery, fill out the table according to the following example: Total amount of material offered- 1,000 tons; total amount offered for each type of delivery - f.o.b. quarry rail, 1,000 tons; f.o.b. quarry truck, 1,000 tons; f.o.b. siding, 1,000 tons; farm delivery, 1,000 tons; spread on fields, 500 tons. It is assumed that the bidder can only deliver a total of 1,000 tons per month, that he has sufficient equipment to make deliveries of 1,000 tons by all methods except his spreading equipment, which is limited to a capacity of 500 tons per month.

5. Enter price f.o.b. quarry rail, f.o.b. quarry truck, f.o.b. railroad siding, under their respective headings.
6. Enter price delivered to farms (cost of material plus delivery charge).
7. Enter price spread on fields (cost of material, plus delivery charge, plus spread charge).
8. Indicate by entering "yes" or "no" if you will operate under the provisions of the Walsh-Healey Act if the total amount of the agreement may exceed \$10,000.
9. If bid is for less than the entire county, or on a township basis, show prices per township on continuation sheet.
10. Enter date of filling in the bid.
11. If there is a time limitation, indicate this by entering the number of days in which the contract must be accepted.
12. Enter the number of days in which deliveries can be made after receipt of orders.
13. Enter discount, if any, if paid within 20 or 30 days.
14. PRINT or TYPE name of bidder.
15. PRINT or TYPE complete address of bidder.
16. Person authorized to sign bid must affix his signature.
17. Enter the title of person authorized to sign.

XVI. TYPES OF DELIVERIES BEING SOLICITED.

In _____ county, the following checked types of delivery are being solicited (✓):

F.o.b. quarry rail	()
F.o.b. quarry truck	()
F.o.b. railroad siding	()
Farm delivery	()
Spread on Fields	()

XVII. CERTIFICATIONS.

See reverse side of bid invitation form for certifications that will be necessary on contractor's claim for payment.

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